IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 11274 of 2007(P)

PETITIONER:

R.JACOB, S/O LOUIS,
DRIVER(RETIRED), K.S.R.T.C., ALAPPUZHA,
RANNIPARAMBU, CHETTIKKADU, PATHIRAPPALLY P.O.,
ALAPPUZHA.

BY ADV. SRI.P.P.SOMAN NAIR

RESPONDENTS:

1. KERALA STATE ROAD TRANSPORT CORPORATION, REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM.

2. FINANCIAL ADVISOR & CHIEF ACCOUNTS OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM.

3. THE ASSISTANT ACCOUNTS OFFICER(PENSION), KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM.

4. THE ASSISTANT TRANSPORT OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION, ALAPPUZHA.

BY ADV. SRI.K. PRABHAKARAN, SC, K.S.R.T.C

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/04/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No.11274 OF 2007

Dated this the 2nd day of April, 2007

JUDGMENT

It is obvious that the total amount which due to the petitioner who had only 16 years of service, on account of DCRG and Commuted Value of Pension is only around Rs.one lakh. Considering Ext.P2 series and applying the principles laid down by a Division Bench of this Court in WA No.1775 of 2004, I am of the view that there is justification for making out of turn payment of the retiral benefits of the petitioner so that he can meet the amounts necessary for the treatment of his daughter. The Writ Petition will stand allowed. The respondents are directed to release all the amounts due to the petitioner on account of DCRG and Commuted Value of Pension at the earliest and at any rate within six weeks of receiving copy of this judgment.

PIUS C. KURIAKOSE, JUDGE

btt